



PATENT
144002-2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Douglas T. Dieterich

Serial No. : 09/862,404

Filed : May 21, 2001

For : **METHOD OF TREATING ANEMIA CAUSED BY RIBAVIRIN
TREATMENT OF HEPATITIS C USING ERYTHROPOIETIN
ALPHA**

Group Art Unit : 1646

745 Fifth Avenue
New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on September 19, 2001.

Grace L. Pan, Reg. No. 39,440
Name of Applicant, Assignee or Registered Representative


Signature

September 19, 2001
Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION**

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Sir:

This is in response to the "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b) *Filing Date Granted*" ("Notice") mailed September 5, 2001 (copy enclosed). In response, enclosed is an originally executed Declaration for Patent Application and Power of Attorney ("Declaration") and a Verified Statement (Declaration)

Claiming Small Entity Status ("Verified Statement). Also enclosed is a check in the amount of \$65.00 to cover the required surcharge.

A copy of the Notice, Declaration and Verified Statement are all filed in response to the "Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b) *Filing Date Granted*" mailed September 5, 2001.

The Commissioner is hereby authorized to charge any additionally required fee for consideration, entry and recordal of the Declaration and Assignment or credit any overpayment therein to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By:


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UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/862,404	05/21/2001	Douglas T. Dieterich	144002-2001

20999
 FROMMER LAWRENCE & HAUG
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CONFIRMATION NO. 8918

FORMALITIES LETTER



OC000000006516704

Date Mailed: 09/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

*A copy of this notice **MUST** be returned with the reply.*

Feble
 Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE